

REMARKS

In the Office Action¹ dated June 19, 2009, the Examiner:

- Rejected claims 19, 23, 25-26, and 49/23, 49/25, 49, 26, and 50 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,762,748 to Maattaet et al. (hereinafter "Maattaet") in view of U.S. Patent No. 5,506,558 to Laube et al. (hereinafter "Laube");
- Rejected claims 21, 24, 33, 34, 37, 38, 43-44, 46-47, and 49/24, 49/33, 49/34, 49/37, 49/38, 49/43, 49/46, and 49/47 under 35 U.S.C. § 103(a) as being unpatentable over Maattaet and Laube, in view of U.S. Patent No. 5,504,502 to Arita et al. (hereinafter "Arita")²;
- Rejected claims 35 and 49/35 under 35 U.S.C. § 103(a) as being unpatentable over Maattaet, Laube, and Arita, in view of U.S. Patent No. 5,541,370 to Matsuda et al. (hereinafter "Matsuda");
- Rejected claim 51 under 35 U.S.C. § 103(a) as being unpatentable over Maattaet, in view of U.S. Patent No. 5,831,554 to Hedayat et al. (hereinafter "Hedayat");
- Rejected claims 52-54 and 56-62 under 35 U.S.C. § 103(a) as being unpatentable over Maattaet and Hedayat, in view of Arita;
- Rejected claim 63 under 35 U.S.C. § 103(a) as being unpatentable over Maattaet, Hedayat, and Arita, in view of Matsuda;
- Rejected claim 55 under 35 U.S.C. § 103(a) as being unpatentable over Maattaet, Hedayat, and Arita, in view of Laube; and
- Objected to claims 68-70 as being dependent upon a rejected base claim but indicated the claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

By this Amendment, Applicant amends claims 19 and 51, and cancels claim 68.

Claims 19, 21, 23-26, 33-35, 37, 38, 43, 44, 46, 47, 49-67, and 69-70 are currently pending.

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement of characterization in the Office Action.

² Applicant's note that the Examiner does not list claim 49/44 as being rejected and requests further clarification as to whether the subject matter of claim 49 as dependent upon claim 44 is allowable or the specific grounds for its rejection.

Claims 19 and 51

Applicant maintains the arguments against the rejection of previously presented claims 19 and 51 and the application of certain references cited by the Examiner to reject those claims. Nevertheless, for the purposes of advancing prosecution in the present case, claims 19 and 51 have been amended to incorporate the subject matter of claim 68. In the last Office Action, the Examiner indicated the subject matter of claim 68 was allowable, therefore, Applicant respectfully requests the Examiner to withdraw the rejection of claims 19 and 51. (See Office Action, pgs. 16-17).

Claims 21, 23-26, 33-35, 37, 38, 43, 44, 46, 47, 49, 50, 52-63, 69, and 70

Claims 21, 23-26, 33-35, 37, 38, 43, 44, 46, 47, 49, 50, 52-63, 69, and 70 are either directly or indirectly dependent upon allowable independent claims 19 and 51. Applicant maintains the arguments against the rejection of previously presented claims 19 and 51 and the application of certain references cited by the Examiner to reject them. Nevertheless, since amended claims 19 and 51 include the allowable subject matter of cancelled claim 68, Applicant respectfully requests the Examiner to withdraw the rejection of and objection to claims 21, 23-26, 33-35, 37, 38, 43, 44, 46, 47, 49, 50, 52-63, 69, and 70.

Claims 64-67

The Examiner indicates on the Office Action Summary page that claims 64-67 are rejected, however, does not provide any analysis regarding their rejection in the body of the Office Action. Nevertheless, Applicant submits that claims 64-67 are

allowable based, at least, on their dependence upon amended claim 51. Accordingly, Applicant respectfully requests the Examiner to allow claims 64-67.

Conclusion

In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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Dated: December 14, 2009

By: 

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